

**Department of Community Planning and Economic Development—Planning Division  
Variance and Preliminary and Final Plat  
BZZ-2394 and PL-171**

**Hearing Date:** 8/1/05 (continued from the 6/27/05 and 7/18/05 hearing dates)

**Applicant:** Project for Pride in Living, 1035 Franklin Ave. E., Minneapolis, MN 55404

**Address of Property:** 1900 Willow Ave. N.

**Project Name:** Lowell Curve Housing Project and the Lowell Curve Addition plat

**Contact Person and Phone:** Gary Findell, 250 3<sup>rd</sup> Ave. N. #450, Minneapolis, MN 55401, 651-587-4825

**Staff Contact Person and Phone:** J. Michael Orange, City Planner (voice: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us)

**Date Application Deemed Complete:** 5/4/05

**End of 60-Day Decision Period:** 7/3/05

**End of Second 60-Day Decision Period:** Extended by written notice (dated 6/1/05) to 9/1/05, and by written permission from the applicant (received 7/11/05) to 9/30/05.

**Ward:** 3      **Neighborhood Organization:** Jordan Area Community Council

**Existing Zoning:**

- Primary District: R2B, Two-Family District
- Overlay District: None

**Zoning Plate Number:** 7

**Proposed Use:** Application by Project for Pride in Living to construct 14 single family homes on the site of the former Lowell School located at 1900 Willow Ave. N.

**Prior Approvals:**

- City Council approved the Lowell Redevelopment Plan on 9/14/04

**Concurrent Review:**

- Variance for lot widths
- Preliminary and final plat

**Attention:** If you want help translating this information, call - **Hmong** - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; **Spanish** - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700; **Somali** - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500

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**Applicable Zoning Code Provisions:**

- Variance per 525.520 (2).
- Preliminary and final plat per Chapter 598.

**Legal Description:** Refer to Attachment X

**BACKGROUND**

The applicant, Project for Pride in Living, will purchase the former site of Lowell School from the Minneapolis School Board in order to construct 14 single family homes. The applicant will seek individual building permits for the single-family homes, which are permitted uses in the R2B District.

The project requires a replatting of the site. The plat requires three variances due to the need to dedicate and transfer an alley to the City, the oddly shaped site, and the vacated portion of Hillside Ave. that transects the site north-to-south. One lot (Block 2, Lot 1) has street frontage on Hillside that is less than the 40 ft. required by the Code at Table 546-9 (34 ft.). This variance is the subject of BZZ-2394.

Two other variances are handled within the City's Land Subdivision Regulations per Section 598.310: Section 598.240 (4) prohibits reverse frontage lots. One lot (Block 3, Lot 1) is, by necessity, a reverse frontage lot. Section 598.240 (2)(a) prohibits lots with more than 5 sides. Due to the configuration of the land, the adjoining streets, and the alley, two lots have more than 5 sides (Block 2, Lot 2; and Block 3, Lot 7).

**Neighborhood response:** Attachment X include the letter of support from the neighborhood group and others.

**VARIANCE**

**Findings as Required By the Minneapolis Zoning Code for the Variance of the Minimum Lot Width**

The Board of Adjustment and Planning Commission shall not vary the regulations of the zoning code, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

One lot (Block 2, Lot 1) has street frontage on Hillside that is less than the 40 ft. required by the Code at Table 546-9 (34 ft.). Measured at Hillside Ave., Lot 1 has 57 feet of frontage, however, the Code requires the measurement be taken at the 20-ft. front yard setback line where the lot narrows to 34 feet.

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The site is bounded by residences to the north and four streets, one of which, 24<sup>th</sup> Ave. N., is at an angle to the others, and another, Logan Ave. N., follows a curving line. A vacated portion of Hillside Ave. and an alley intersect the site, and a new “T-shaped” alley will be internal to the block. Only two of the lots are rectangular and another six are roughly rectangular, while the remaining six are oddly configured due to the preceding described site conditions and have as many as 8 sides and one or no right angles. Site conditions are the cause for these anomalies. The R2B District allows redevelopment for single and two-family uses and a replat for any residential use other than a cluster or a Planned Unit Development would confront the very same site conditions and the need for variances.

2. **The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Refer to the prior response.

3. **The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The project will provide low-density housing on vacant land in the middle of a low-density neighborhood, with three bus lines within two blocks of the site. Adequate access roads, drives, alleys, parking, and drainage will be provided. The applicant will add public sidewalks on sides that face streets. The project will be compatible with the surrounding residential neighborhood.

4. **The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Refer to the prior responses.

### **FINAL PLAT**

**Findings as Required by the Minneapolis Zoning Code for the Commons at  
Hiawatha Project at 2740 Minnehaha Ave.:**

1. **Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

There are no surviving natural features on the site other than grass, shrubs, and trees. The final plat conforms to all applicable land subdivision regulations with the following exceptions:

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- Section 598.240 (4) prohibits reverse frontage lots and one lot (Block 3, Lot 1) is, by necessity, a reverse frontage lot.
- Section 598.240 (2)(a) prohibits lots with more than 5 sides and two lots have more than 5 sides (Block 2, Lot 2; and Block 3, Lot 7). However, these two exceptions stem from an unavoidable situation given the unique layout of the land.

Since all lots have street frontage and alley access, the plat does not provide additional utility easements.

Planning staff recommend that the Commission vary the subdivision standard to allow these two exceptions to the Land Subdivision Regulations per Section 598.310.

- 2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The project will provide low-density housing on vacant land in the middle of a low-density neighborhood, with two transit lines within two blocks of the site. Adequate access roads, drives, alleys, parking, and drainage will be provided. It will be compatible with the surrounding residential neighborhood.

- 3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The final plat poses no hazards as regards floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.

- 4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

The final plat creates lots that would allow the issuance of building permits, curb cuts, and any needed encroachment permits.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the**

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**city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

The project will require the approval by the City Engineer of a stormwater management plan for the entire project.

**RECOMMENDATIONS**

**Recommendation of the Community Planning and Economic Development Department—Planning Division for the lot width variance application for the Lowell Curve Housing Project at 1900 Willow Ave. N.:**

The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the lot width variance application for Block 2, Lot 1 in the Lowell Curve Housing Project at 1900 Willow Ave. N.

**Recommendation of the Community Planning and Economic Development Department—Planning Division for the Preliminary and Final Plat Application for the Lowell Curve Housing Project at 1900 Willow Ave. N.:**

The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary and final plat application for the Lowell Curve Addition with variances for Block 3, Lot 1 from the prohibition on having reverse frontage lots; and for Block 2, Lot 2 and Block 3, Lot 7 from the limitation on the number of sides to 5 at 1900 Willow Ave. N.

**Attachments:**

1. Zoning and parcel map
2. Aerial photo
3. Project description and redevelopment plan
4. Transit lines in vicinity of site
5. Plat information:
  - Legal description
  - Title documents
  - Preliminary and final plat
6. Letter from the neighborhood organization and other letters of support
7. Photos of the site and surrounding area